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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SMQ-064/P5765	
	Application Number	Filed	
	09/829737-Conf. #9630		April 10, 2001
	First Named Inventor Chad A. SCHOETTGER		
	Art Unit	Examiner	
	2144	T. T. Nguyen	

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
 Note: No more than five (5) pages may be provided.


I am the

☐ applicant /inventor.

☐ assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
 Registration number 50,445

☐ attorney or agent acting under 37 CFR 1.34.
 Registration number if acting under 37 CFR 1.34. _____


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 Typed or printed name
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 Telephone number
 October 17, 2005
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of 1 forms are submitted.

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Dated: October 17, 2005

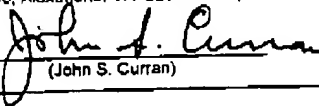
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(John S. Curran)

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Dated: October 17, 2005 Signature: 
(John S. Curran)

PRE-APPEAL BRIEF REQUEST FOR REVIEW ARGUMENTS

Introductory Comment

Applicant's claims 1-23 were originally rejected on November 29, 2004. Applicant filed a response to the original rejection on February 28, 2005. Applicant's claims were finally rejected in an Office Action dated June 17, 2005. Responsive to the Final Rejection, Applicant filed a Response on August 17, 2005. The Examiner maintained his rejection in an Advisory Action dated September 12, 2005 from which Applicant files herewith a Notice of Appeal.

Brief Summary of the Invention

The illustrative embodiment of the present invention provides a method of detecting web browser proxy settings that are preventing the proper execution of applets embedded in retrieved web pages. The method of the present invention discloses embedding a first applet composed of a single class in a web page along with a second applet. When the web page is retrieved by the web browser, the first applet checks the browser setting to determine if a proxy server is being utilized by the browser and if the browser is configured to accept the results of proxy textual name equivalence conversion. If a proxy server is being used and the proxy setting is not enabled, the method displays a message to the browser user.

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Arguments

Claims 1, 4, 11, 17 and 21 are the independent claims in the pending application. The Examiner rejected independent claims 1, 4, 11, and 17 under 35 U.S.C. 102(b) as being anticipated by Chung et al (United States Patent No. 6,012, 090, hereafter "Chung"). Claim 21 was rejected pursuant to 35 U.S.C. 103(a) as being obvious over Chung in view of Ingrassia, Jr. et al (hereafter "Ingrassia"). In the case of independent claims 1, 4, 11 and 17 Chung fails to disclose at least one of the claimed limitations. In the case of claim 21, the combination of Chung in view of Ingrassia fails to teach or suggest one of the claimed limitations.

Claim 4 is a representative claim and provides:

4. In a network, a method comprising the steps of:

providing a web browser, said web browser stored on an electronic client device interfaced with said network, said web browser including settings for network connections;

retrieving a web page with said web browser, said web page including a first and second software facility stored therein, said first software facility including a reference to a source of computer-executable code for determining a trust proxy setting in said web browser;

retrieving the code for said first software facility; and

determining the trust proxy setting in the network settings of said web browser by executing the code for said first software facility.

Each of Applicant's independent claims recites the providing of a web page that includes an embedded software facility (or equivalent limitation) that includes a reference to a source of computer-executable code for determining a "trust proxy" setting in the web browser (the "trust proxy" setting refers to a setting enabling the web browser to accept the results of the proxy textual name equivalence conversion, see application page 4, lines 1-2). Additionally, claims 4 and 11 explicitly recite the execution of the

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determining step and Claim 21 recites execution of the software facility which includes the code for determining the "trust proxy" setting. As Applicant has twice pointed out in his responses to the Patent Office (see page 7, first and second full paragraphs of Amendment dated February 18, 2005, and page 2, second full paragraph through the second full paragraph of page 3 of Response dated August 17, 2005), Chung completely fails to disclose either the provision of a web page with a software facility containing a reference to computer-executable code for determining a trust proxy setting or the subsequent execution of the code performing the determination of the setting. The combination of Chung in view of Ingrassia also fails to teach or suggest these limitations.

Chung discusses a system for making client-side parallel requests for network services. It is not directed towards the problem identified by Applicant in his background, the problem of retrieving web pages with embedded applets from behind a firewall (see Application page 3, lines 1-24). In brief, the closest Chung gets to a discussion of proxy settings is in Figure 3 which includes a proxy setting element that may be manually set by a user. The panel is respectfully referred to the arguments previously submitted during prosecution on behalf of Applicant for a more detailed discussion of Chung. There is absolutely no discussion of providing a web page which contains a reference to computer-executable code for determining a specialized "trust proxy" setting (or any other proxy setting). The cited section of Chung relied on by the Examiner, col. 11, lines 11-30, is off point and does not reveal the missing limitation. With respect to independent claim 21, the Examiner cited Ingrassia as providing a different limitation than the ones at issue here, it also does not teach or suggest the missing limitations discussed above.

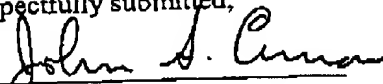
Accordingly, since the cited references fail to disclose, teach or suggest all of the limitations in Applicant's independent claims, Applicant believes all of the pending claims are currently in condition for allowance.

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Respectfully submitted,

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